

69581967

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PATENT APPLICATION FEE DETERMINATION RECORD

Effective October 1, 2000

CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
TOTAL CLAIMS		
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	20 minus 20 =	
INDEPENDENT CLAIMS	4 minus 3 =	1
MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/>		

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	14	20	-
Independent	4	4	-
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

10/14/05

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	24	20	4
Independent	4	4	-
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input checked="" type="checkbox"/>			

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total			
Independent			
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

If the entry in Column 1 is less than the entry in column 2, write "0" in column 3.
If the Highest Number Previously Paid For IN THIS SPACE is less than 20, enter "20."
If the Highest Number Previously Paid For IN THIS SPACE is less than 3, enter "3."
The Highest Number Previously Paid For (Total or Independent) is the highest number found in the appropriate box in column 1.

SMALL ENTITY TYPE <input type="checkbox"/>		OR	OTHER THAN SMALL ENTITY	
RATE	FEE		RATE	FEE
BASIC FEE		OR	BASIC FEE	970
X5 9=		OR	X518=	
X40=		OR	X80=	78
+135=		OR	+270=	
TOTAL		OR	TOTAL	1098

SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X5 9=		OR	X518=	
X40=		OR	X80=	
+135=		OR	+270=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

4-21-04

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X5 9=		OR	X518=	200
X40=		OR	X80=	
+135=		OR	+270=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X5 9=		OR	X518=	
X40=		OR	X80=	
+135=		OR	+270=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Abrahamsson et al.
Serial No. : 09/581,967
Filed : June 19, 2000
For : NEW PHARMACEUTICAL FORMULATIONS
Examiner : Micah Paul Young
Group Art Unit : 1618

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. 1.8	
I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date indicated below at the facsimile number 571-273-8300.	
John M. Genova	32,224
Agent Name	PTO Reg. No.
<i>[Signature]</i>	14 Oct 2005
Signature	Date of Signature

Mail Stop Amendment
Commissioner for Patents
Box 1450
Alexandria, VA 22313-1450

Attn: Examiner Micah Paul Young
Facsimile: 571-273-8300
Pages: 8 pages total

AMENDMENT

Sir:

Applicants submit this communication in response to the Office Action, mailed April 21, 2005.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 4 of this paper.

IBAT inhibitor is layered with a delayed release membrane for delivery to the ileum whereas the bile acid binder is layered with a delayed release binder to the colon.

For all of the foregoing reason, Applicants respectfully submit that a *prima facie* case of obviousness has not been established. Accordingly, the rejection of claims 33-35 and 41-45 is improper and should be withdrawn.

CONCLUSION

Upon entry of this Amendment, claims 29 and 33-45 remain pending. Applicants respectfully submit that claims 29 and 33-45 are in condition for allowance. Prompt issuance of a Notice of Allowance is earnestly solicited.

The Assistant Commissioner is hereby authorized to charge any fee due in connection with this communication to Deposit Account No. 23-1703.

Dated: 14 October 2005

Respectfully submitted,



John M. Genova
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